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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket No. 88265-14012	Total Pages 32
First Named Inventor or Application Identifier Eileen ROEHR et al.			
		Express Mail Label No.	

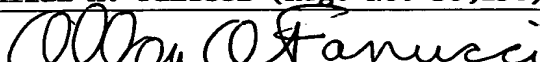
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: MAIL STOP PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
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1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i> 2. <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification Total Pages <u>25</u> <i>(preferred arrangement set forth below)</i> -Descriptive title of the Invention -Cross Reference to Related Applications -Statement Regarding Fed Sponsored R&D -Reference to Sequence Listing, a table, or a computer program listing appendix -Background of the Invention -Brief Summary of the Invention -Brief Description of the Drawings (if filed) -Detailed Description -Claim(s) -Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) Total Sheets <u>4</u> 5. Oath or Declaration Total Pages <u>3</u> a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i> 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies.
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ACCOMPANYING APPLICATION PARTS
9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> (copy from 09/872,099) 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input type="checkbox"/> Non-publication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent 17. <input type="checkbox"/> Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application no. <u>09/872,099</u> filed <u>June 1, 2001</u> Prior Application Information: Examiner: <u>Joseph Pelham</u> Group Art Unit: <u>1761</u>	
The entire disclosure of the prior application(s) noted above, is/are considered a part of the disclosure of the accompanying application and is/are hereby incorporated by reference.	

19. CORRESPONDENCE ADDRESS	
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Signature		Date	9-17-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application:

Examiner: Joseph Pelham
 Art Unit: 1761

Mail Stop Patent Application

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/872,099 filed on June 1, 2001 of Eileen ROEHR, Mark O. FOSTER, Hua ZHANG, Antonio GUTIERREZ, Mark A. GAJ and Giinping I. SCHMIDT for BAKED COOKIES HAVING DUAL TEXTURE.

1. ☒ The filing fee is calculated below:

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE	
Total Claims	9	-20	0	\$18.00 each	\$	0.00
Independent	1	-3	0	\$84.00 each	\$	0.00
Basic Fee					\$	750.00
Multiple Dependency Fee If Applicable (\$280.00)					\$	0.00
Total					\$	0.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$	0.00
Total Filing Fee					\$	750.00

2. ☒ Please charge the required fee to Winston & Strawn LLP Deposit Account No. 50-1814. A copy of this sheet is enclosed.
3. ☒ New formal drawings are enclosed.
4. ☒ The prior application is assigned of record to NESTEC S.A., a Swiss company having a place of business at Avenue Nestlé 55, 1800 Vevey, Switzerland, by virtue of an assignment recorded on August 30, 2001, at Reel 012143, Frame 0643.
5. ☒ The Power of Attorney appears in the original papers in the prior application no. 09/872,099, filed June 1, 2001, and a copy is enclosed herewith.

6. ☒ Information Disclosure Statement with Form PTO-1449.

Respectfully submitted,

9-17-03
Date

Allan A. Fanucci
Allan A. Fanucci, Reg. No. 30,256

WINSTON & STRAWN LLP
Customer No. 28765

212-294-3311